Powlett TEXAS

AGENDA PLANNING & ZONING COMMISSION TUESDAY, JULY 12, 2016

The Planning and Zoning Commission will convene into a Work Session at 6:15 p.m. in the in the City Hall Conference Room at the Municipal Center, 4000 Main Street, Rowlett, at which time the following items will be considered:

- i. Call to Order.
- ii. Discuss items on the regular agenda.
- iii. Adjourn.

The Planning and Zoning Commission will convene into a Regular Meeting at the conclusion of the Work Session in the City Hall Conference Room at the Municipal Center, 4000 Main Street, Rowlett, at which time the following items will be considered:

A. CALL TO ORDER

1. Update Report from Staff.

B. CONSENT AGENDA

- 1. Consider action to approve the minutes of the Planning and Zoning Commission meeting on June 28, 2016.
- 2. Consider and take action on a Preliminary Plat for the Manors on Miller, located North of Miller road and West of Dorchester further described as 8.437 +/- acres of land located in the S.A. & M.G. RR Survey, Abstract No.1407, City of Rowlett, Dallas County, Texas (Case Number PP132-2016).
- 3. Consider and take action on a Preliminary Plat for the Emerald Spring Estates, located SEQ Miller Road & President George Bush Highway further described as 3.639 +/- acres of land located in the O.V. Ledbetter Survey, Abstract No.790, City of Rowlett, Dallas County, Texas (Case Number PP122-2016).

C. ADJOURNMENT

NOTE: THE PLANNING AND ZONING COMMISSION MAY RETIRE AND CONVENE INTO EXECUTIVE, CLOSED SESSION ON ANY MATTER RELATED TO ANY OF THE ABOVE AGENDA ITEMS FOR THE PURPOSES OF PRIVATE CONSULTATION WITH THE CITY ATTORNEY UNDER SECTION 551.071 OF THE TEXAS GOVERNMENT CODE.

NOTE: THE CITY OF ROWLETT MEETING ROOMS ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT FOR FURTHER INFORMATION.

Garrett Langford, Principal Planner

MINUTES OF THE WORK SESSION AND REGULAR MEETING OF THE PLANNING & ZONING COMMISSION OF THE CITY OF ROWLETT, TEXAS, HELD IN THE ANNEX BUILDING 4004 MAIN STREET, AT 6:15 P.M., JUNE 28, 2016

WORK SESSION

PRESENT: Chairman Michael Lucas, Commissioners Chris Kilgore, James Moseley, Lisa Estevez, Alternates Stephen Ritchey, Jason Berry

ABSENT: Vice Chairman Jonas Tune, Commissioner Thomas Finney, Alternate Kim Clark

STAFF PRESENT: Director of Development Services Marc Kurbansade, Planner I Katy Goodrich, Development Services Coordinator Lola Isom

i. Call to Order

Chairman Michael Lucas called the Work Session to order at 6:15 p.m.

ii. Discuss items on the regular agenda.

Director of Development Services, Marc Kurbansade, guided the Commission to only discuss items that are published on the agenda.

There was discussion amongst the Commission regarding the possibility of additional re-platting requests, the context of the Item C.1. development and any opposition, the temporary traffic light, and pavement.

iii. Adjourn

Chairman Lucas adjourned the Work Session at 6:27 p.m.

REGULAR MEETING

A. CALL TO ORDER

Chairman Lucas called the meeting to order at 6:31 p.m.

1. Update Report from Staff.

Mr. Kurbansade provided updates regarding City Council meetings and stated that a lot of development will be coming to Rowlett in the near future.

MINUTES OF THE WORK SESSION AND REGULAR MEETING OF THE PLANNING & ZONING COMMISSION OF THE CITY OF ROWLETT, TEXAS, HELD IN THE ANNEX BUILDING 4004 MAIN STREET, AT 6:15 P.M., JUNE 28, 2016

There was discussion amongst the Commission regarding the Bayside Development, Planning and Zoning Commission case updates after going to City Council, and takeaways from the joint meeting with City Council.

B. CONSENT AGENDA

1. Consider action to approve the minutes of the Joint Meeting of City Council and the Planning and Zoning Commission and the minutes of the Regular Meeting of Planning and Zoning Commission on June 14, 2016.

Commissioner Lisa Estevez made a motion to approve both documents. Commissioner James Moseley seconded the motion. The motion passed with a 6-0 vote.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Conduct a public hearing and take action on a replat of 7402 and 7406 Lagoon Drive further described as being Lots 1 and 2, Block G of the Peninsula 4 Phase C Addition, City of Rowlett, Dallas County, Texas.

Mr. Kurbansade summarized the request.

There was a brief discussion amongst the Board regarding the public hearing notification in opposition of the request.

Chairman Michael Lucas opened the public hearing.

No speakers came forward.

Chairman Michael Lucas closed the public hearing.

There was discussion amongst the Commission regarding their support of the request.

Commissioner Chris Kilgore made a motion to approve the item. Commissioner Lisa Estevez seconded the motion. The motion passed with a 6-0 vote.

MINUTES OF THE WORK SESSION AND REGULAR MEETING OF THE PLANNING & ZONING COMMISSION OF THE CITY OF ROWLETT, TEXAS, HELD IN THE ANNEX BUILDING 4004 MAIN STREET, AT 6:15 P.M., JUNE 28, 2016

D. ADJOURNMENT

Chairman Lucas adjourned the meeting at 6:44 p.m.	
Chairman	Secretary



City of Rowlett

Staff Report

Planning & Zoning Commission

4000 Main Street P.O. Box 99 Rowlett, TX 75030-0099 www.rowlett.com

AGENDA DATE: 07/12/2016 AGENDA ITEM: B2

AGENDA LOCATION:

Consent Agenda

TITLE

Consider and take action on a Preliminary Plat for the Manors on Miller, located North of Miller road and West of Dorchester further described as 8.437 +/- acres of land located in the S.A. & M.G. RR Survey, Abstract No.1407, City of Rowlett, Dallas County, Texas (Case Number PP132-2016).

STAFF REPRESENTATIVE

Garrett Langford, AICP, Principal Planner

SUMMARY

The preliminary plat is one of the first steps in the development process and provides an overview of the utility and lot layout for the site in it's entirely. This preliminary plat involves creating 39 single family lots (Attachment 1 – Preliminary Plat).

BACKGROUND INFORMATION

The subject property consist of 8.437 acres and is located North of Miller road and West of Dorchester Drive (Attachment 2 – Location Map). The subject property was rezoned from Single Family 40 (SF-40) to Planned Development 023-16 on June 7, 2016, to allow a 39 lot single family subdivision with a minimum lot size 5,750 square feet. Following zoning, the preliminary plat is the first step in the development process. Subsequently, the applicant will be required to obtain approval of the development plans (Landscape Plan and Tree Survey and Preservation Plan), Civil Engineering Plans, a Final Plat, and Building Plans prior to receiving a building permit. The Tree Survey and Preservation Plan will be brought before the Commission for consideration, as well as the Final Plat.

DISCUSSION

Section 77-806.C.2(d)(1) of the Rowlett Development Code (RDC) states,

"Approval of a preliminary plat shall be deemed an expression of approval of the layouts submitted on the preliminary plat as a guide for the future installation of streets, water, sewer, and other required improvements and utilities and as a guide to the preparation of the final plat. Except as provided for in this section, approval of the preliminary plat shall constitute conditional approval of the final plat when all conditions of approval noted as provided in this section have been met."

It is important to note that Section 77-806.C.2(d)(2) of the RDC additionally states,

"No construction work shall begin on the proposed improvements in the proposed subdivision prior to approval of the final plat by the planning and zoning commission and the construction plans by the director of public works and/or director of utilities. The subdivider, at its sole and exclusive risk, may undertake certain ground excavations for grading and drainage purposes, install underground utilities, and install drainage, if the proper permits and approvals for such works are issued by the director of public works."

Section 77-806.C.6 of the RDC further states,

"The Planning and Zoning Commission may approve a preliminary or final plat only if it finds that the plat:

- (a) Conforms to Chapter 77-600, Subdivision and land development, and any regulations adopted pursuant to that chapter;
- (b) Promotes the public health, safety and welfare;
- (c) Provides for the proper arrangement of streets in relation to existing or proposed streets:
- (d) Provides for the efficient movement of vehicular and pedestrian traffic;
- (e) Ensures adequate and properly placed utilities;
- (f) Provides access for firefighting apparatus as determined by the fire marshal;
- (g) Provides light and air and avoids congestion;
- (h) Facilitates the orderly and efficient layout and use of the land; and
- (i) Furthers the goals and policies of the comprehensive plan and the city council."

City Staff from the Planning and Engineering Divisions as well as the Fire Marshal's Office have reviewed the preliminary plat for compliance with the Rowlett Development Code and Planned Development 022-16. Based on the fact that this request meets the requirements set forth in the Rowlett Development Code, Staff recommends approval of this request.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

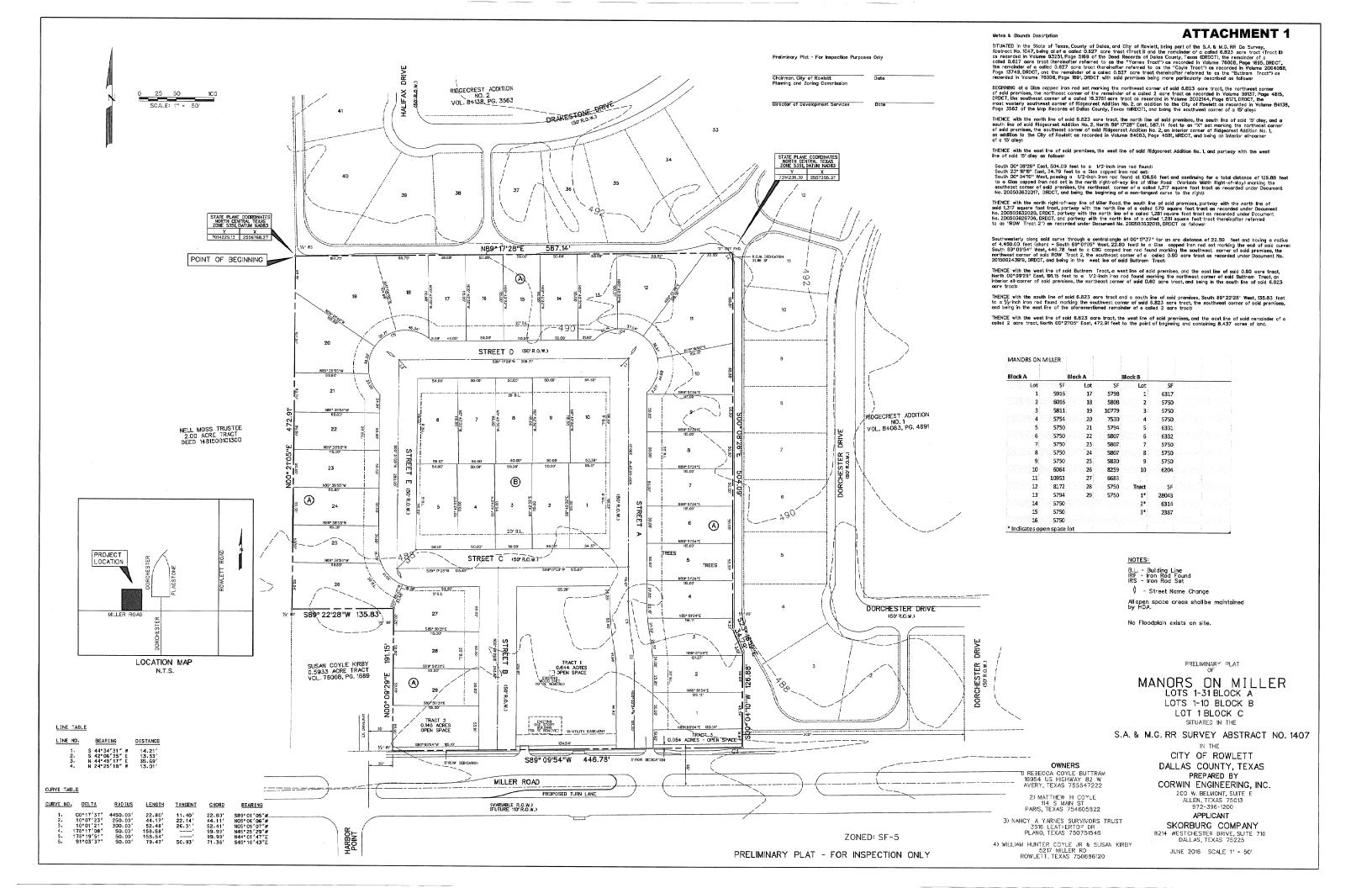
RECOMMENDED ACTION

Staff recommends approval.

ATTACHMENTS

Attachment 1 – Proposed Preliminary Plat

Attachment 2 – Location Map







City of Rowlett

Staff Report

Planning & Zoning Commission

4000 Main Street P.O. Box 99 Rowlett, TX 75030-0099 www.rowlett.com

AGENDA DATE: 07/12/2016 AGENDA ITEM: B3

AGENDA LOCATION:

Consent Agenda

TITLE

Consider and take action on a Preliminary Plat for the Emerald Spring Estates, located SEQ Miller Road & President George Bush Highway further described as a 3.639 +/- acres of land located in the O.V. Ledbetter Survey, Abstract No.790, City of Rowlett, Dallas County, Texas (Case Number PP122-2016).

STAFF REPRESENTATIVE

Garrett Langford, AICP, Principal Planner

SUMMARY

The preliminary plat is one of the first steps in the development process and provides an overview of the utility and lot layout for the site in it's entirely. This preliminary plat involves creating one lot (Attachment 1 – Preliminary Plat) for a future memory care facility.

BACKGROUND INFORMATION

The subject property is located along the south side of Miller Road 295 +/- feet east of President George Bush Tollway (Attachment 1 – Location Map). The subject property was rezoned from General Commercial (C-2) to Planned Development #026-16 on July 5, 2016, to allow an assisted living/memory care facility. Following zoning, the preliminary plat is the first step in the development process. Subsequently, the applicant will be required to obtain approval of the development plans (site, landscape, tree survey and façade plans), civil engineering plans, a final plat, and building plans prior to receiving a building permit. The Final Plat will be brought before the Commission for consideration and approval.

DISCUSSION

Section 77-806.C.2(d)(1) of the Rowlett Development Code (RDC) states,

"Approval of a preliminary plat shall be deemed an expression of approval of the layouts submitted on the preliminary plat as a guide for the future installation of streets, water, sewer, and other required improvements and utilities and as a guide to the preparation of the final plat. Except as provided for in this section, approval of the preliminary plat shall constitute conditional approval of the final plat when all conditions of approval noted as provided in this section have been met."

It is important to note that Section 77-806.C.2(d)(2) of the RDC additionally states,

"No construction work shall begin on the proposed improvements in the proposed subdivision prior to approval of the final plat by the planning and zoning commission and the construction plans by the director of public works and/or director of utilities. The subdivider, at its sole and exclusive risk, may undertake certain ground excavations for grading and drainage purposes, install underground utilities, and install drainage, if the proper permits and approvals for such works are issued by the director of public works."

Section 77-806.C.6 of the RDC further states,

"The Planning and Zoning Commission may approve a preliminary or final plat only if it finds that the plat:

- (a) Conforms to Chapter 77-600, Subdivision and land development, and any regulations adopted pursuant to that chapter;
- (b) Promotes the public health, safety and welfare;
- (c) Provides for the proper arrangement of streets in relation to existing or proposed streets:
- (d) Provides for the efficient movement of vehicular and pedestrian traffic;
- (e) Ensures adequate and properly placed utilities;
- (f) Provides access for firefighting apparatus as determined by the fire marshal;
- (g) Provides light and air and avoids congestion;
- (h) Facilitates the orderly and efficient layout and use of the land; and
- (i) Furthers the goals and policies of the comprehensive plan and the city council."

City Staff from the Planning and Engineering Divisions as well as the Fire Marshal's Office have reviewed the preliminary plat for compliance with the Rowlett Development Code and Planned Development 026-16. Based on the fact that this request meets the requirements set forth in the Rowlett Development Code, Staff recommends approval of this request.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

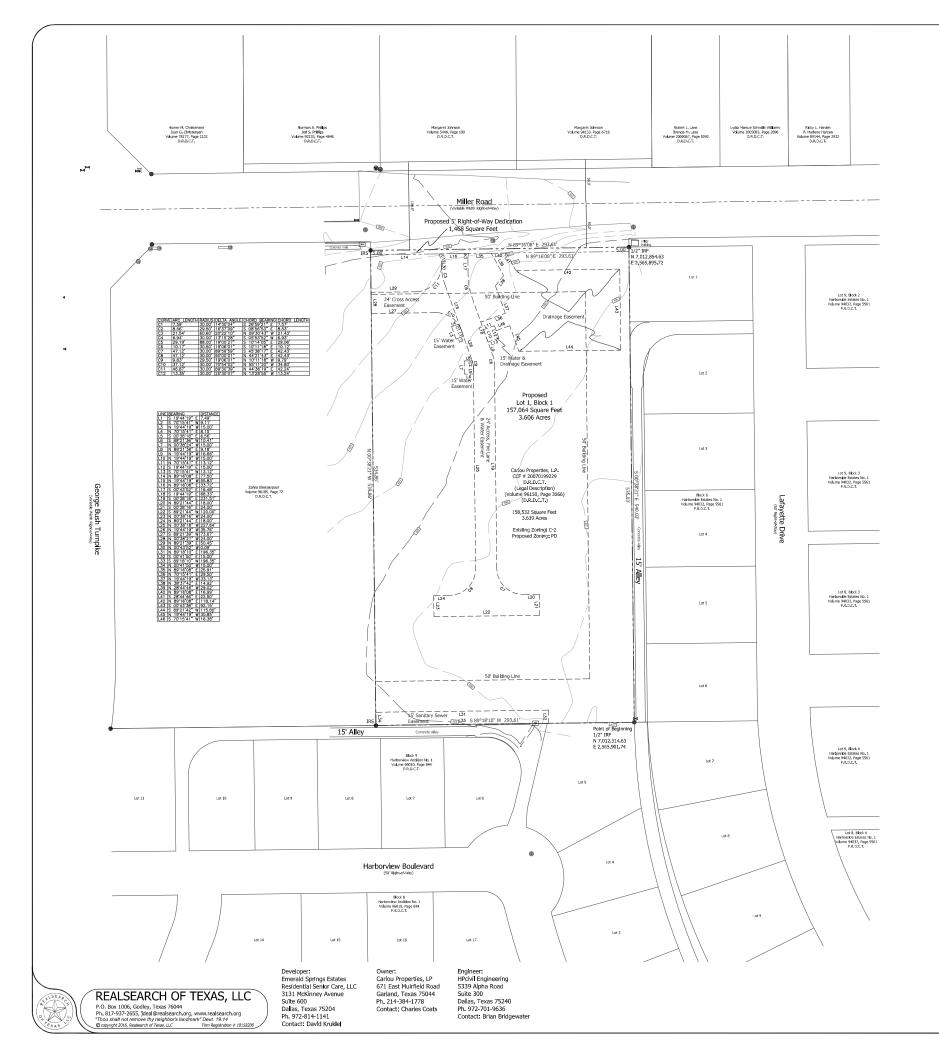
RECOMMENDED ACTION

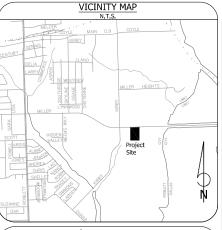
Staff recommends approval.

ATTACHMENTS

Attachment 1 – Proposed Preliminary Plat

Attachment 2 – Location Map





Flood Statement

According to Community Panel Number 48113C0245K, dated July 7, 2014, of the Federal Emergency Management Agency, National Flood Insurance Program Map, this property lies within Zone "X" which is not a Special Flood Hazard Area. If this site is not within a Special Flood Hazard Area, this statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man made or natural causes. This statement shall not create liability on the part of the Surveyor.

Chairman, City of Rowlett, Planning and Zoning Commission Director of Development Services Date

Preliminary Plat - For Inspection Purposes Only. Approved for Preparation of Final Plat

LEGAL DESCRIPTION

BEING situated in the O.V. Ledbetter Survey, Abstract Number 790, Dallas County, Texas and being a portion of that certain tract of land described by deed to Carlou Properties, LP recorded in County Clerk's File Number 20070199229, Deed Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found at the southeast corner of said Carlou tract, said iron rod also being the northeast corner of Harborview Addition No. 1, an addition to the City of Rowlett recorded in Volume 96010, Page 844, Plat Records, Dallas County, Texas and being in the west line of Harborside Estates No. 1, an addition to the City of Rowlett recorded in 94032, Page 5561, Plat Records, Dallas

THENCE South 89 degrees 18 minutes 10 seconds West, 293.61 feet along the south line of said Carlou tract and the north line of said Harborview Addition to a 5/8 inch iron rod with cap stamped "REALSEARCH" set at the southwest corner of said Carlou tract, said fron rod also being the southeast corner of that certain tract of land described by deed to Zahra Shekarypour recorded in Volume 98185, Page 72, Deed Records, Dallas County, Texas,

THENCE North 00 degrees 38 minutes 21 seconds West, 539.86 feet along the west line of said Carlou tract and the east line of said Shekarypour tract to a 5/8 inch iron rod with cap stamped

THENCE North 89 degrees 16 minutes 08 seconds East, 293.61 feet to a 1/2 inch iron rod found in the east line of sald Carlou tract, sald Iron rod being the northwest corner of sald Harborside Addition;

THENCE South 00 degrees 38 minutes 21 seconds East, 540.03 feet along the east line of said Carlou tract and the west line of said Harborside Addition to the POINT OF BEGINNING and containing 158,532 square feet or 3.639 acres of land, more or less.

Surveyor's Certification

I, Jeremy Luke Deal, Registered Professional Land Surveyor Number 5696, State of Texas, do hereby certify that this sketch was prepared from the public records, and from an actual and accurate survey of the property performed on the ground under my direction and supervision on April 08, 2016. The visible improvements are as shown hereon. Except as shown hereon, there are no apparent encroachments onto the property or apparent protrusions therefrom. This sketch and the survey on which it is based embrace the same property described in Fidelity National Title Insurance Company's Commitment for Title Insurance GF No. LT-19155-1901551600100-CF, Effective Date: March 20, 2016, Issued: March 30, 2016. I did not abstract the title to this property, nor did I search the public records for easements, adverse claims, or other encumbrances that might affect this property.

Executed this the 11th day of April, in the year of our Lord 2016.

Jeremy Luke Deal Registered Professional Land Surveyor



Notes

- Basis of Bearings is the Texas State Plane Coordinate System, North American Datum of 1983, Texas North Central Zone.
- 2. IRF = Iron Rod Found.
- 3. IRS = 5/8 Inch Iron Rod With Cap Stamped "REALSEARCH" Set.
- 4. D.R.D.C.T. = Deed Records, Dallas County, Texas.
- 5. P.R.D.C.T. = Plat Records, Dallas County, Texas.

EMERALD SPRINGS ESTATES PRELIMINARY PLAT LOT 1, BLOCK 1 situated in the O.V. Ledbetter Survey, Abstract Number 790, Dallas County, Texas

Project Number: 160036 Date: May 13, 2016 Revised Date: June 23, 2016 Revision Notes: Revised easements

SCALE: 1"= 50'

Sheet 1 of 1

